

Version with Markings to Show Changes Made

4. (Amended) A method of allowing bypass of a ring signal in a voice messaging system, comprising:

receiving a non-ring signal indicating a presence of an incoming call to said voice messaging system; and

answering said incoming call by said voice messaging system by placing a telephone line in an off-hook condition before a reception of any ring signal.

8. (Amended) Apparatus for allowing bypass of a ring signal in a voice messaging system, comprising:

means for receiving a non-ring signal indicating a presence of an incoming call to said voice messaging system; and

means for answering said incoming call by said voice messaging system by placing a telephone line in an off-hook condition before a reception of any ring signal.

12. (Amended) A method of allowing a calling party to bypass a ring signal in a voice messaging system of a called party, said voice messaging system including voice message memory for recording a voice message, the method comprising:

providing a ring signal bypass module in said voice messaging system;

activating said ring signal bypass module based on a request from said calling party; and

bypassing all ring signals to said voice messaging system by answering a call from said calling party by placing a telephone line in an off-hook condition before a reception of any ring signal.

REMARKS

Claims 1-15 remain pending in this application. Claims 4, 8 and 12 have been amended to more clearly recite an apparatus and method for a voice messaging system that answers an incoming call by placing a telephone line in an off-hook condition before reception of an initial ring signal.

Claims 1 and 3-11

In the Office Action, claims 1 and 3-11 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Johnson *et al.*, U.S. Patent No. 5,155,760 ("Johnson"), in light of Bleile, U.S. Patent No. 6,044,148 ("Bleile"). The Applicants respectfully traverse the rejection.

Claims 1 and 3 recite a ring signal bypass module that causes a telephone line interface to place a telephone line in an off-hook condition based on the detection of a non-ring signal before reception of an initial ring signal relating to the incoming call. Claims 4-7 recite a method of allowing a bypass of a ring signal in a voice messaging system by receiving a non-ring signal and answering an incoming call by placing a telephone line in an off-hook condition before a reception of any ring signal. Claims 8-11 recite means for a voice messaging system that receives a non-ring signal and answers an incoming call by placing a telephone line in an off-hook condition before a reception of any ring signal.

Johnson appears to disclose an arrangement providing a voice activated prompt interrupt for a voice messaging system. Once a call is established at the interface, a processor causes a prompt to be played and simultaneously the incoming signal to be sampled. If the processor determines that there is incoming speech, the prompt is stopped and the buffered incoming signal is directed to the recording device. As the Examiner acknowledges (Office Action, p. 2), Johnson fails to disclose or suggest placing the telephone line in an off-hook condition based on detecting a presence of a non-ring signal.

Bleile fails to remedy this deficiency. Bleile appears to disclose a telephone apparatus for screening calls on the basis of messages containing message data that the telephone company's central office transmits before

transmitting a first ring burst. If the message data indicates that the telephone call is not to be accepted, a microprocessor disables the ringer. Subsequent ring bursts, including the first ring burst, received on the central office line will then not be sounded by the ringer. If the telephone in Bleile is connected to a voice messaging system, the incoming call will not be answered (the telephone line placed in an off-hook condition) until after ring bursts are received. Thus, Bleile fails to disclose or suggest an apparatus and method for a voice messaging system that places a telephone line in an off-hook condition based on the presence of a non-ring signal before reception of any ring signal, as claimed by claims 1 and 3-11.

The Examiner states that it would have been obvious to one of ordinary skill in the art to adding detecting a presence of a non-ring signal, as taught by Bleile, to Johnson's voice activated prompt interrupt. The Applicants respectfully disagree.

For a patent application to be rejected for obviousness based on a combination of references, the references must teach or suggest the combination. Johnson is designed to solve the problem of a caller leaving a message before the prompt asking for the message is completed. Bleile is designed to screen calls based on message data received before the first telephone burst.. Nothing in Johnson suggests or teaches adding the capability of screening calls based on such message data, and nothing in Bleile suggests or teaches adding the capability of solving the problems of callers leaving messages before the message prompt is completed. Therefore, Johnson and Bleile are not properly combinable with respect to claims 1 and 3-11.

Even if Johnson and Bleile were properly combinable, they at most would result in a voice messaging system where calls are screened based on message data before the first ring burst and a voice activated prompt interrupt. The combination still would fail to teach or suggest a voice messaging system that places a telephone line in an off-hook condition based on the presence of a non-ring signal before reception of any ring signal, as claimed by claims 1 and 3-11.

Accordingly, the Applicants respectfully request that the foregoing rejection be withdrawn.

Claims 12-15

In the Office Action, claims 12-15 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Borland *et al.*, U.S. Patent No. 6,128,382 (“Borland”) in view of Bleile. The Applicants respectfully traverse the rejection.

Claims 12-15 recite a method for bypassing ring signals in a voice message system by answering an incoming call by placing a telephone line in an off-hook condition based on the presence of a non-ring signal before the presence of a ring signal.

Borland appears to disclose a telephone answering device that can be enabled to receive a ring signal, answer a call, and give the caller the option to ring the telephone or simply leave a message. Borland fails to disclose the use of a non-ring signal from a central office (e.g., a line reversal) to indicate to a voice messaging system the presence of an incoming call, as claimed by claims 12-15.

Bleile fails to remedy this deficiency. As noted, in Bleile, calls are screened based on messages containing message data that the telephone company's central office transmits before transmitting a first ring burst. Ring bursts are received before the call is answered (by the user if the call is accepted and the ringer operates or alternatively by the voice messaging system if the ringer is disabled or the user otherwise does not answer). Thus, Bleile fails to disclose or suggest an apparatus and method for a voice messaging system that places a telephone line in an off-hook condition based on the presence of a non-ring signal before reception of any ring signal, as claimed by claims 12-15.

The Examiner states that it would have been obvious to one of ordinary skill in the art to add Bleile's call screening capability to Borland. The Applicants respectfully disagree.

As noted, for a patent application to be rejected for obviousness based on a combination of references, the references must teach or suggest the

combination. Nothing in Borland teaches or suggests adding the capability of screening calls based on message data received before the first ring burst, and nothing in Bleile teaches or suggests adding the capability of giving the caller the option to ring the telephone or simply leave a message. Therefore Borland and Bleile are not properly combinable with respect to claims 12-15.

Even if Borland and Bleile were properly combinable, they at most would result in a voice messaging system with the capability to screen calls based on message data received before the first ring burst and to receive a ring signal, answer a call, and give the caller the option to ring the telephone or simply leave a message. The combination would still fail to teach or suggest a method for bypassing ring signals in a voice message system by answering an incoming call by placing a telephone line in an off-hook condition based on the presence of a non-ring signal before the presence of a ring signal, as claimed by claims 12-15.

Accordingly, the Applicants respectfully request that the foregoing rejection be withdrawn.

Claim 2

In the Office Action, claim 2 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Borland in view of Bleile and in further view of Gunn *et al.*, U.S. Patent No. 5,905,794 ("Gunn"). The Applicants respectfully traverse the rejection.

Claim 2 is dependent on claim 1 and is patentable over the prior art for the same reasons as claim 1 – Borland and Bleile do not teach or suggest, either individually or in combination (assuming that they are properly combinable), a ring signal bypass module that causes a telephone line interface to place a telephone line in an off-hook condition based on the detection of a non-ring signal (in claim 2 a line reversal) before reception of an initial ring signal relating to the incoming call.

Gunn does not cure this deficiency. Gunn appears to disclose a modem interface that provides rapid identification of a caller and limited access based on a variety of parameters obtained from caller identification information

encoded by the telephone company. A line reversal detector is incorporated to signal when the call identification information is available for reception. Gunn fails to disclose or suggest a ring bypass module with the features recited in claim 2.

The Examiner states (p. 10) that it would have been obvious to one of ordinary skill to modify "Borland, Bleile and McKendrick" by further adding Gunn's detecting a line reversal. The Applicants respectfully disagree.

First, McKendrick is not otherwise referred to in the Office Action and appears to be an error.

Second, as explained above, Borland and Bleile are not properly combinable.

Third, nothing in Gunn teaches or suggests adding the capabilities of Borland or Bleile, and nothing in Borland or Bleile teaches or suggests adding Gunn's modem interface. Therefore, Gunn is not properly combinable with Borland and Bleile with respect to claim 2.

Even if Gunn is properly added to the assumed combination of Borland and Bleile, the combination at most would result in a voice messaging system with a modem interface that can detect line reversals and with the capability to screen calls based on message data received before the first ring burst and to receive a ring signal, answer a call, and give the caller the option to ring the telephone or simply leave a message. The combination would still fail to teach or suggest a ring signal bypass module that causes a telephone line interface to place a telephone line in an off-hook condition based on the detection of a line reversal before reception of an initial ring signal relating to the incoming call, as claimed by claim 2.

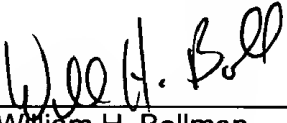
Accordingly, the Applicants respectfully request that the foregoing rejection be withdrawn.

CANNON – Appl. No. 190,129

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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